

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

THE ESTATE OF CLINT WALLACE,  
DECEASED,

Plaintiff,

v.

NEWREZ, LLC, and RUBIN LUBLIN TN,  
PLLC,

Defendants.

Case No. 1:19-cv-02211-STA-jay

**RUBIN LUBLIN TN, PLLC'S MOTION TO DISMISS**

COMES NOW, Rubin Lublin TN, PLLC ("Rubin Lublin"), by and through undersigned counsel, and respectfully moves this Honorable Court to dismiss the Plaintiff's Complaint pursuant to Fed. R. Civ. P. 12(b)(6). In support of this Motion, Rubin Lublin is contemporaneously filing its brief containing arguments and citation of authorities.

WHEREFORE, Rubin Lublin prays for the following relief:

- a) That this Court grant its Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6) upon a finding that the Plaintiffs have failed to state a claim upon which relief can be granted; and
- b) For such other and further relief as this Court deems just and proper.

Respectfully submitted, this 11th day of April, 2019.

/s/ Bret J. Chaness  
BRET J. CHANESS (BPR # 31643)  
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*Attorney for Rubin Lublin TN, PLLC*

**CERTIFICATE OF SERVICE**

I hereby certify that I have, this 11th day of April, 2019, served all parties in this matter with the foregoing by placing a true and correct copy of same in the United States Mail, with first-class prepaid postage affixed thereto, properly addressed as follows:

Richard J. Schoepke  
P.O. Box H  
Dyersburg, TN 38025

/s/ Bret J. Chaness  
BRET J. CHANESS (BPR # 31643)